

Introduced by Senator SteinbergFebruary 19, 2010

An act to amend Section 51 of the Civil Code, relating to civil rights.

LEGISLATIVE COUNSEL'S DIGEST

SB 1285, as introduced, Steinberg. Unruh Civil Rights Act.

The Unruh Civil Rights Act generally prohibits business establishments from discriminating on the basis of sex, race, color, religion, ancestry, national origin, disability, medical condition, marital status, or sexual orientation.

This bill would make a technical, nonsubstantive change to these provisions.

Vote: majority. Appropriation: no. Fiscal committee: no.
State-mandated local program: no.

The people of the State of California do enact as follows:

- 1 SECTION 1. Section 51 of the Civil Code is amended to read:
2 51. (a) This section shall be known, and may be cited, as the
3 Unruh Civil Rights Act.
4 (b) All persons within the jurisdiction of this state are free and
5 equal, and no matter what their sex, race, color, religion, ancestry,
6 national origin, disability, medical condition, marital status, or
7 sexual orientation are entitled to the full and equal
8 accommodations, advantages, facilities, privileges, or services in
9 all business establishments of every kind whatsoever.
10 (c) This section shall not be construed to confer any right or
11 privilege on a person that is conditioned or limited by law or that
12 is applicable alike to persons of every sex, color, race, religion,

1 ancestry, national origin, disability, medical condition, marital
2 status, or sexual orientation.

3 (d) Nothing in this section shall be construed to require any
4 construction, alteration, repair, structural or otherwise, or
5 modification of any sort whatsoever, beyond that construction,
6 alteration, repair, or modification that is otherwise required by
7 other provisions of law, to any new or existing establishment,
8 facility, building, improvement, or any other structure, nor shall
9 anything in this section be construed to augment, restrict, or alter
10 in any way the authority of the State Architect to require
11 construction, alteration, repair, or modifications that the State
12 Architect otherwise possesses pursuant to other laws.

13 (e) For purposes of this section:

14 (1) “Disability” means any mental or physical disability as
15 defined in Sections 12926 and 12926.1 of the Government Code.

16 (2) “Medical condition” has the same meaning as defined in
17 subdivision (h) of Section 12926 of the Government Code.

18 (3) “Religion” includes all aspects of religious belief,
19 observance, and practice.

20 (4) “Sex” has the same meaning as defined in subdivision (p)
21 of Section 12926 of the Government Code.

22 (5) “Sex, race, color, religion, ancestry, national origin,
23 disability, medical condition, marital status, or sexual orientation”
24 includes a perception that the person has any particular
25 characteristic or characteristics within the listed categories or that
26 the person is associated with a person who has, or is perceived to
27 have, any particular characteristic or characteristics within the
28 listed categories.

29 (6) “Sexual orientation” has the same meaning as defined in
30 subdivision (q) of Section 12926 of the Government Code.

31 (f) A violation of the right of any ~~individual~~ *person* under the
32 Americans with Disabilities Act of 1990 (Public Law 101-336)
33 shall also constitute a violation of this section.